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# HISTORY

OF THE

# BLACKS

OF

WALTHAM *in* Hampshire ;  
*and those under the like Denomination*  
*in Berkshire.*

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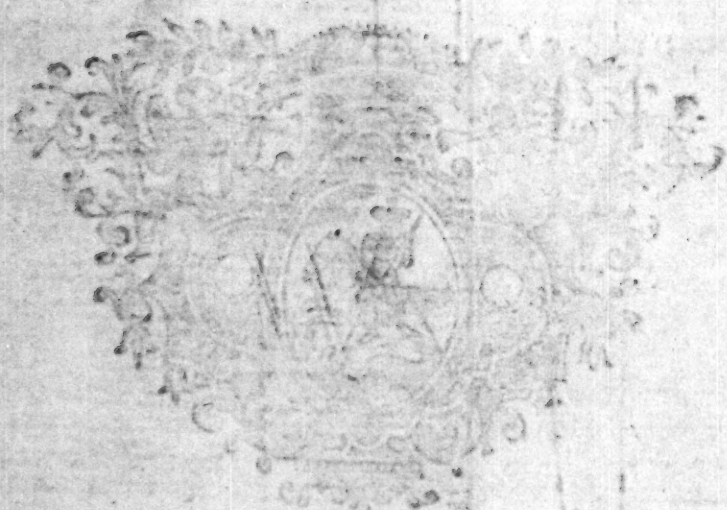
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BLACKS

IN THE  
REPUBLIC OF THE UNITED STATES OF AMERICA



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Printed by A. Millar, near St. Paul's Church, 1733.



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**T**H O' this is call'd an HISTORY,  
in Conformity to the Taste of  
this Age, which has a mighty  
Relish for Performances of that  
Kind, ever since the Reverend  
Mr. Arch-Deacon *Eachard's* surprizing Ac-  
counts of the Reigns of the Kings of this  
Island from their first Origine ; yet I shall  
not be so presumptuous as to rank it with  
that before-mention'd valuable Piece.

Be it sufficient, that what it shall be  
found wanting in Purity of *Stile*, shall be  
A made



made up in *Truth*; and surpass him in the latter, tho' it may fall short of him in the former. To this purpose we shall only say, that the Lenity of the Laws against *Deer-stealers*, and other outrageous Offenders of that Sort, being had in Contempt by Persons wickedly inclin'd that Way; and one of the late Bishops of *Winchester*, Dr. *Jonathan Trelawney*, having not been so indulgent as his great Predecessor Dr. *Peter Mew*, in letting his Neighbours make bold with some of his Venison, a Conspiracy began to be form'd against his Park in *Farnham*, and the Chase at *Waltham*, in and about the Times of general Confusion, when the late pernicious Schemes of the *South-Sea* Company bore all Things down before them, and laid Waste what the Industry and good Husbandry of Families had gather'd together.

It was at this Season, this unhappy Juncture of Affairs, when his late Lordship the Bishop's want of Complaisance, exasperated those, who could not always feed upon *Mutton*, and other customary Dishes, without longing for more fashionable and dainty Repasts. Wherefore, in the Month of *October* 1721, several of them assembled, to the Number of 16, and breaking into the Episcopal Park at *Farnham*, Part whereof is in the County of *Surrey*, the other in that of *Southampton*, carry'd off three Deer, and left behind them two others kill'd,  
in



in spite of whatsoever Opposition was made by the Keepers, one whereof was shot thro' the Body, tho' he afterwards recovered.

This exasperated the Bishop to such a Degree, who was naturally of a warm and cholerick Temper, that upon Search after the Criminals, two were apprehended and committed to the Prison in *Guilford*, and two more to *Winchester* Goal; the first two by *Sir Francis Vincent*, and the two last by *Sir Simeon Stuart*.

They were try'd accordingly at the following Lent-Assizes for the two Counties before-nam'd, but only two of them were convicted, the other acquitted for want of sufficient Evidence in Behalf of the Crown. The Sentence of the former, according to the Statutes then in Force, was, for each of them to stand in the Pillory for the Space of an Hour, to be imprison'd for a Year and a Day afterwards, and to pay a Fine of Twenty Pounds; which three particular Punishments were inflicted on them.

Their Comrades were no sooner apprehended and imprison'd, but this Gang of *Banditti* meditated nothing but Revenge; and having form'd themselves into a numerous Band, and taken an Oath to stand by one another to the last Extremity, under these Anarchical and confus'd Principles they chose to be under a mock Kingly Government, and therefore elected a very robust,

robust, enterprizing, and substantial Gentleman, yet unknown, for their King. The next Thing they had to do was to commit fresh Depredations ; in pursuance of which Resolutions, they broke into the Park again at *Farnham*, with much greater Numbers ; and not only went off with 11 Deer more, and left as many Dead upon the Spot ; but pass'd thro' the Town in Triumph with them, even on the Market-Day at Seven in the Morning, without Opposition.

This daring Piece of Insolence caus'd several Advertisements in the Publick News, with suitable Rewards for their Discovery, but they stuck so close together, and were so just to the unjust Oaths they had taken to be true to each other, that nothing like a Discovery could be made ; even tho' their Accomplices, then in Prison, had very large Offers of Sums of Money, and Preferments, to excite them thereunto.

Their Disguise with Masks on their Faces, and black Gloves on their Hands, prevented their Persons being known, and the Assurance they had in each others Fidelity, caus'd them to despise all Search after, or Attempts against them ; insomuch that they repeated their Ravages often and often, but confin'd them, as yet, to the Bishop's Park, wherein only they had hitherto shewn Examples of their Rage, and which (to give fresh Instances of their Barbarity)



barity) they not only stripp'd of almost all the Game, but the very Lodges and young Timber were burnt down, and otherwise destroy'd by them.

At last the Government, upon proper Application, took these Acts of Violence into their Consideration, and a Detachment of his Majesty's Forces were order'd to take their Quarters in and about *Farnham*; but too late, almost to prevent the Ruin of the Episcopal Park, wherein very few of the numerous Herds of Deer were left. Hereupon a Consultation was held among the Rioters, and it was judg'd adviseable therein, to go farther a-field for fresh Plunder. The Bishop had another Chase for Game near the Village of *Waltham*, about 10 Miles from *Winchester*, of a much greater Length and Circumference than his depopulated Park; and it was thither, (since the Efforts of their Malice was exhausted at *Farnham*) they took it into their Heads to bend their Course; for as yet they had confin'd all their Injustice and Ill-will to his Lordship only, without breaking in upon the Boundaries and lawful Tenures of others of the Nobility and Gentry.

What they committed in the *Park* were but Trifles to what they acted in the *Chase*, where, tho' large Heads of Deer were to be seen in Drovers before, scarce were to be seen in two Months Time two  
of



of those Creatures grazing together : Inſomuch that they render'd themſelves terrible to all the adjacent Country, who were not only fearful of the Loſs of their Game, but their very Lives, from the circular Letters which were ſent from this tumultuous and terrible Aſſembly, who threatned with burning down their very Houſes, in Caſe of Oppoſition to their ſearch after further Supplies of Veniſon.

Sir John Cape, amongſt others, from the Waſte they made on his Lands, found their Menaces made good ; and they thence forward took the Name of the Blacks of Walſham : Mr. Lewis alſo in that Neighbourhood, with other Gentlemen, ſuffer'd mightily by them. And it being then about the Time wherein the late horrid Conſpiracy was ſaid to be on Foot, tho' not then ripe enough to be communicated to Parliament, they were judg'd (as well they might) by ſome who were in the Secret of Affairs, to be in the Pretender's Intereſt, and went about thus Arm'd to be prepar'd for a general Inſurrection. But this prov'd to be nothing but Surmize, for his Mock Maſteſty King John, tho' in actual Rebellion by aſſuming a Regal Title, gave out in his printed Maniſeſto's, which he had ſent him from London, That he and his were faithful and true Subjects to their Liege Lord and Sovereign King George, and would ſtand by the Succeſſion in the illuſtrious Houſe of

of Hanover to their last Drop of Blood. To make this good, and evince the Neighbouring People by his Declaration in Person to the same Effect of what he had caused to be dispers'd in Print, he gave out, That he would appear such a Day with his Posse near a Publick House in the Chase; which he accordingly did; but 15 of his Sooty Tribe appear'd, some in Coats made of Deer-Skins, others with Fur Caps, &c. all well armed and mounted: There were likewise at least 300 People assembled to see the Black Chief and his Sham Negroes, before whom King John protested, That they were well-affected to King George: That they loved him, and would be ready to sacrifice their Lives to maintain his Right: That they had no other Design but to do Justice, and to see that the Rich did not insult or oppress the Poor: That they were determined not to leave a Deer on the Chase, being well assured it was originally design'd to feed Cattle, and not to fatten Deer for the Clergy, &c. At the Close of his Speech, the King, Prince, Princess, the Royal Issue, and other Heaths were drank. 300 People might have secured 16 with Ease, but no Attempt of that Kind was made, which shew'd the Populace to be of their Side.

To give Proofs of some of his Titular Majesty's foregoing Assertions, a substantial Farmer soon after this Speech happen'd to incur his Displeasure, by being  
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an *Informer* against *Deer-stealers*; upon which he caus'd his Troop to assemble, and break open his Field Gates, to beat down his Fences, and drive the Cattle into his standing Corn; by which he was greatly damag'd.

Mrs. *Bothorn*, a Widow of one of the late Rangers, who still lives in the Lodge, and keeps one to act for her in the same Capacity of her Husband, had receiv'd 10 l. in Part of the Fine paid by a convicted *Deer-stealer*: Upon which the *Smutty Chief*, attended with a Detachment of his Black-Guard, came up to the Lodge, and with abusive Language, threatned to burn the House in Case she did not refund: Adding, that they were Gentlemen, and were determin'd to do Justice. The good Woman undauntedly reply'd, That Gentlemen would scorn to insult her after that Manner, and that therefore she believed them to be worthless Fellows, and would not return the Money: Whereupon the Captain immediately drew off his black Glove, and expos'd a fine white Hand, at the same Time asking her, Whether she thought it had ever been used to hard Labour, or belong'd to a sorry Fellow? After this the Woman, to prevent farther Damage, was forc'd to comply.

Mr. *Wingfield*, who has a fine Parcel of growing Timber on his Estate near *Farnham*, fell'd Part of it: The poor People were admitted



admitted (as is customary) to pick up the small Wood ; but some abusing the Liberty given, carry'd off what was not allow'd, which that Gentleman resented ; and, as an Example to others, made several pay for it. Upon which, the *Blacks* summon'd the Myrmidons, stripp'd the Bark off several of the standing Trees, and notch'd the Bodies of others, thereby to prevent their Growth ; and left a Note on one of the main'd Trees, to inform the Gentleman, that this was their first Visit ; and that if he did not return the Money receiv'd for Damage, he must expect a second from King *John* of the *Blacks*. The Gentleman comply'd, and thereby preserv'd the rest of his Timber.

There was a Dispute at *Wickham*, about a Pew in the Parish Church, which was determin'd in Favour of Mrs. *Beverly*, a Widow Gentlewoman of that Town. This the *Blacks* resented as an Act of Partiality and Injustice, and King *John* summon'd the Lady to resign ; which she not doing by a Surrender of the Pew, they cut down a fine Walk, and Defence of Trees, before her House, and quite defac'd her Flower Garden, one of the nicest in the whole Country. The Parson, as a Party concern'd, was serv'd in like Manner, and his Bee-hives, for which he was very famous, were thrown into the Highway.

Dr. *Smith*, a Gentleman of great Reputation for his Skill in Physick in that Part of the Country, agreed with a Farmer for a Quantity of Hay ; but the great Rains that fell during the Harvest, render'd it unfit for the Horses to eat : However, the Farmer insisted upon his Agreement, and the Doctor (whom all allow to be a frugal Manager) refus'd to pay him. Soon after, a *Black*, finely mounted, with Pistols and a Blunderbuss by his Side, came to the Doctor's House at *Wimmering*, with a Letter from King *John*, directing him to lose no Time, but to pay for the Hay, the Farmer being poor, and he Master of Thousands. The Physician, fearing what might ensue if he disregarded it, observ'd the Order.

Mr. *Blakely*, a Gentleman of *Farnham*, having Occasion to build a Stable, employ'd a Carpenter, not only to do that, but to go upon some other Repairs, which the House stood in need of. The Man, being necessitous, always had what Money he ask'd for : But, when they came to balance Accounts, brought a Bill so extravagant, that the Gentleman refus'd to pay it, and had some of the same Trade to survey the Work. The Carpenter upon this gave out, that he had receiv'd a Summons to appear before King *John* in *Waltham-Chase* ; and that he had been with the *Blacks* there, who assur'd him, that if Mr. *Blakely* did not comply,



comply, his House should be reduc'd to Ashes. The Gentleman was not to be bully'd after that Manner, but secur'd the Artificer, who being examin'd by Dr. *Brady*, a Justice of the Peace, was, by him, committed to *Winchester* Goal, whence he was afterwards bail'd out by the Person that caus'd him to be committed, on the Receipt of a Letter from the King of *Blacks*; who, tho' he disown'd any such Summons or Threatnings, yet gave him to understand, that the Poverty of the Man, without he releas'd him, would induce him and his Subjects to take very severe Revenge of him, for his Imprisonment.

The next Enterprize they took in Hand, was to rob Mr. *Norton* of *Southwick's Park*, at some Distance from *Portsmouth*. This Gentleman was obnoxious to their Resentments, thro' his Endeavours to bring Persons of their Characters to Justice; and having, by Virtue of his Office of one in the Commission of the Peace, sent two or three of the same Fraternity to Goal, so incurr'd their Displeasure, as to cause them, to the Number of eleven only, with their *King* at their Head, to enter his Park by Night; and, in Despight of his Keepers, and the Alarm given to his House, which rais'd the whole Village, after having kill'd several fat Bucks, to march off with two of them on Spare-Horses, in the Sight of the whole Neighbourhood, who, tho' in



Arms, were so terribly affrighten'd, as to suffer them to return to their respective Abodes, without Molestation. Tho' upon Discovery afterwards, two of them were apprehended, in or near *Waltham*, and two more at *Portsmouth*, and committed to the Castle at *Winchester*; of whom more in the Close of this Narration.

Soon after this, being given to understand, that three fat Bucks and several Hogheads of the richest *French Wines*, were design'd for the Use of the Prince, from *Southampton*; they intercepted them in their Way from *Winchester* to *Aylesford*, and desir'd the Conductors thereof to give their Duty to his Highness; and that they had now got wherewith to make a Festival, and drink his Health, and the Royal Family's.

But a Proclamation coming out with a large Reward for the Apprehension of each, and every one of them, and a Promise of Pardon, and the same Reward, to such as should discover one or more of their Associates and Abettors, made them put a Stop to their Proceedings for some Time. And King *John*, upon Baron *Page's* severe Charge to the Grand Jury at the Assizes held at *Winchester*, having taken into his Consideration the Hazards he and his Followers might run, order'd a general Rendezvous to be made in *Waltham-Chase*; where he gave them to understand, that he should desist from his former Practices for a while,

'till

'till a more fitting Opportunity should offer; but, at the same Time, told them, he would accompany them to make some Provision for themselves, during this Cessation of Arms; and therefore, upon a general Forage, they carried home Provender enough for their Sustenance, by the Death of nine fat Deer more, in the very Face of their Keepers.

But while these lay still, without Molestation, or further Discovery, in their own Places of Abode; another Gang of the same Species of Robbers, and alike discolour'd, arose in their Stead. Some profligate Fellows of the like Appetite and Digestion for Venison, took it in their Head to go upon the same Undertakings; and, having chosen one Farmer *William Shorter*, a Man of Substance, and who, besides renting an Estate of 200*l. per Annum*, had 80*l.* a Year of his own, Free-Land, for their Captain, made a dreadful Havock in *Windsor Forest*; a Crime more audacious than hitherto committed, because it was the Property of the Crown.

These Robberies were, at last, attended with Murther, which call'd for the severest Animadversions from the Government. The Manner of their being guilty of the latter was this: There was one *Hughes*, an old Poacher, who liv'd at *Old Windsor*, that was prosecuted for killing the Game, and was fin'd



fin'd 10 l. and had two Guns taken from him ; which Money and Guns were deposited in the Hands of Mr. *Miles*, one of the Church-Wardens of the Parish wherein the Facts were committed. Hereupon a select Company of these *Blacks* came to *Old Windsor*, where seizing a poor Carpenter, they threaten'd to shoot him, if he did not shew them where Mr. *Miles* liv'd ; which the poor Man was forc'd to do. When they came to *Miles* his House, they told him, that if he did not return the Money and Guns to the *Poacher*, between that Time and three Days after, they would set Fire to his House. *Miles* his Son said, *It was a hard Case that the Laws should not be put in Execution against Poaching.* Upon which, one of the Fellows said, *Sirrah, do you prate?* And cocking his Piece at him, shot the poor young Man thro' the Head. The Father, who expostulated with them, had undergone the same Fate, but that several Pieces, which were likewise presented at him, flash'd in the Pan.

This being done, they made the best of their Way into *Windsor Forest*, and carry'd off several Head of State Deer from about *Cranburn Lodge* ; and had the Impudence to tell three of the Keepers, who had not Force enough to resist them, that if they had not been inform'd, that the Dutchess of *Marlborough* was at her Seat near St. *Alban's*,



*Alban's*, they would have taken the Liberty of paying her a Visit, and of drinking some of her Wine.

The next Exploit, worthy of relating, was, their making bold with some of the like Provender in the Earl of *Arran's* Park, near *Bagshot*, and of sending a Letter to his Lordship, after the Fact committed; that since his Keepers, or Servants, had shot two or three of their most valuable Dogs, they would, at a convenient Season, balance Accounts with him, and leave not a Stick standing in his Park or House. Upon which, his Lordship was forc'd to be at great Expence in doubly guarding both the one and the other, since they were grown so desperate as to stick at no Attempt to make good their Threats.

But as Secrets are not to be trusted with great Numbers, so the Temptations arising from the Rewards in the Proclamation, and the Fears of incurring the Penalties of the Act of Parliament, which made even *Deer stealing* Felony without Benefit of Clergy, made two of their Members, who afterwards increas'd to more, address themselves to the Government; and to deserve their Pardon, and further Encouragement, by an ample Confession.

The desperate State of these Villains making it dangerous to attack them openly, Mr. *Cooper* and Mr. *Chalk*, two of the King's Messengers, who were dispatch'd by his

his Majesty's Principal Secretary of State, found themselves oblig'd to have recourse to Stratagem, which they successfully put in Execution. Being inform'd, that three of their principal Leaders were at *Oakingham* in *Berkshire*, they went thither; but meeting with a Disappointment, they went next Day (*May 1.*) to the Fair at *Reading*, there to look for them, but likewise miss'd their Aim, and came back to *Oakingham*, where they found these three Heroes, who understanding that they were Messengers, and that they had been at *Reading*, enquir'd their Business in those Parts. Mr. *Chalk*, after desiring the Favour of their Company to drink a Glass of Wine, told them, their Business was to see whether one *Power*, a Clergyman, against whom these three *Blacks* had lodg'd an Information of High Treason, was closely confin'd, according to his Deserts. That he had solicited the Lord *Townshend* to be admitted to Bail: That he, and his Brother *Cooper*, were come, by Order of the Government, to return their Thanks for their Services, in detecting *Power*; and that if they would come up, and strengthen the Evidence they had already given against him, before the Secretary of State, it would prevent *Power's* being releas'd, and they would be handsomely rewarded. They readily believing, and being pleas'd with the suppos'd Honour of the Messengers Errand to them (they never



never exerting any thing like Authority over them) were all very merry, drank the King's Health with great Chearfulness; and after having held a Consultation among themselves, wherein the promis'd Reward had the greatest Weight of the Scales, resolv'd to go up to *London*, voluntarily, with the Messengers, in order to receive what they were induc'd to think their good Services merited from their Loyalty, in detecting *Power*. As a farther Decoy, Mr. *Chalk* gave *William Shorter*, the Farmer and Captain of the whole Gang, Money in Hand, to pay for the Hire of their Horses; and, besides their Expences at *Oakingham*, gave them five Guineas a-piece, in Part of their Reward from the Government, and defray'd the Charge of their Journey. The two others that came in Company with the Farmer, were *George Wynne*, a Clock-maker, and *Edward Collier*, a Felt-maker.

'Tis easy to guess what Looks they put on, when they came under Examination at the *Cock-Pit*, and found themselves thus caught in a Noose, who came up with Intent to prepare one for the poor Clergyman, who, tho' brought to Town after them, had the Happiness to leave two of his Accusers in Goal, tho' the Chief of them, *Farmer Shorter*, found Means to make his Escape from the Messengers, in two or three Days after his Confinement, and has not since been heard of. But the Evidence

of the other two, after an ample Confession, was sufficient to bring up, the *Sunday* following, 21 more of their footy Brethren, under a strong Guard of Horse, who conducted them to the Secretary's Office, from whence they were committed to safe Custody in the *Gate-House* at *Westminster* first, and then, after Examination, to *Newgate*.

Nine more were escorted up by another Detachment of the Blue-Guards, in a Day or two following, and then three more, *viz.* *John Hawthorne*, *Joseph Mercer*, and *Joseph Magnor*, the first being committed to the same Prison for Murther; insomuch that what with those confined in Messenger's Houses, the Number of the said *Blacks* brought up to Town, amounted to upwards of 40.

The Act of Parliament being now pass'd, whereby such Offences as we have before treated of, were to fall under the Penalty of Felony, without Benefit of Clergy, a special Commission of Oyer and Terminer was granted by his Majesty, for trying these *Berkshire Blacks* at *Reading*, before Mr. Baron *Page*, Mr. Baron *Gilbert*, and Mr. Justice *Denton*. In Pursuance of this, most of the above-mention'd Prisoners, to the Number of 32, were sent from *Newgate* to *Reading*, in a Caravan, to be try'd there, where the said Commission was to be open'd on the 6th of *June* 1723 following; and where, Mr. Baron *Page*,



*Page*, as the eldest Judge upon the Bench, gave a Charge suitable to the Occasion he and his two other Brethren were come down upon. Their Tryals held, at the King's Charge, from that Day (*Thursday*) to the *Saturday* following, and Mr. Serjeant *Chefbire*, Mr. *Willes*, one of his Majesty's Council, Mr. *Wearg*, and Mr. *Hayes*, Counsellors at Law, press'd home the Evidence so strongly, that after a full Hearing, wherein great Regard was had to the Witnesses, as well for as against the Prisoners; the following were condemn'd to die for the Murther of the young Man at *Old Windsor*, viz. *Leonard Thorn* (the Person who shot him) *John Hawthorn*, *John Gilbert*, and *Thomas Hatch*. Six others were order'd for Transportation, viz. *Edward Collier*, *Joseph Mercer* and *Joseph Magnar*, for Deer stealing and Assault; and *John Chapman*, *Andrew Hughes* and *Charles Grant*, for Deer stealing: But there being a Flaw in the Indictment against *Joseph Mercer*, *Joseph Magnar* and *Charles Grant*, Judgment was respited in Arrest thereof 'till the ensuing Session.

The Persons under Sentence of Death, had it executed upon them 14 Days after Condemnation, when they made an exemplary End; more especially *Leonard Thorn*, made an ample Confession of the Murther, and gave great Tokens of a sincere Repen-

tance thereupon. But though they were press'd to discover other of their Accomplices, who were suppos'd to abscond from Justice, and to be their chief Ringleaders: In Answer to the Exhortations on that End, they flatly refus'd, and said, their Blood was a sufficient Attonement for what had been done, and they would not give Occasion for the spilling more.

Tho' these Executions put an End to the Excursions of the *Blacks* of *Berkshire*, those of *Waltham-Chase* rendezvouz'd afresh, and having pillag'd the Park of *George Pitt*, Esq; of *Stratfordsea*, and committed diverse other Outrages of the like Kind, in those Parts of *Hampshire* that Borders on *Wiltshire*, they bent their Course again towards the extreme Parts of the said County that lies contiguous to *Surry*; and as they had begun their riotous Assemblies with Ravages and Insults on the Bishop of *Winchester's* Premisses, so they would likewise end them there.

In Pursuance of their Resolution, they again detach'd a small Party of their Men to *Farnham*, viz. seven in Number, who got into the Colt Forest adjoining to the Park there, and by Six in the Morning on *Sunday, September 1*, kill'd three Deer, when one of the Keepers, being then in Disguise, went back and acquainted the other Keeper and Servants, who, being arm'd, some with Guns, and some with

Quarter-



Quarter-Staves, made towards the Place where they heard two Guns go off, and seeing a Fellow black'd and running from them, hallowing as loud as he could to give Notice to his Companions, they pursued, caught him, and tying his Arms, left one of their Companions to watch over him. They immediately espy'd six more of the same footy Complexion, whom they very civilly desired to quit the Ground and retire: The *Blacks* refus'd to comply, and parlying within 4 or 5 Yards, one of the Villains cock'd his Piece, and shot the Keeper unexpectedly in at the Breast and out at the Back, that he died immediately upon the Spot: The rest stood a long Battle, and the other Keeper and Servants did not fire, till at last one seeing a Hunter lift up his Gun and present at his Fellow-Servant, who was a little before him, and shot into the Thigh so that the Bone was broke, discharged his Piece likewise, which wounded one of the Deer-stealers so as to make him fall and be taken Prisoner. The other five maintain'd a running Fight for some Time, till at last two more were taken, and three made their Escape, who were afterwards taken at *Portsmouth*, viz. *Robert Kincot*, a Victualler at *Portsmouth*, and *John* and *Edward Pink*, two Labouring Persons of the same Town, who with the other four, *Henry Marsbal*, *Edward Elliot*, *James Ansel*, and *Richard Parvin* were

were committed to *Winchester* Goal, where they lay till *October* 29, 1723, when by virtue of an *Habeas Corpus* from the Court of *King's-Bench* in *Michaelmas* Term, they were brought from thence to *London*, under a Guard of a Detachment from the Duke of *Bolton's* Regiment of Blue Guards, who brought them to the Council then sitting at the *Cock-Pit*, on *Saturday Nov. 1.* from whence they were convey'd to *Westminster*, where the Grand Jury found the Bill of Indictment against them, and the Attorney General moved for a Day of Tryal, which was order'd to be on *Wednesday Nov. 13.*

The Reader should have been told, that tho' the taking of these Criminals had so far intimidated the greatest Part of their Associates, as, in a Manner, to break and disperse the Gang; yet some of them resolv'd to be reveng'd on the surviving Keeper, Mr. *Watts*, and some Time before the *Habeas Corpus* came down to *Winchester* for their Friends Removal from thence to take their Tryal, came to his House in the Morning, and thinking him to be in Bed, fired in at his Chamber Window, and by discharging several Shot thro' the Curtains and Blankets, narrowly miss'd killing his Daughter, who demanded the Reason of those outrageous Attempts.

The Day for Tryal was now come, when the before-nam'd *Henry Marshal*, *Edward Elliot*, *Robert Kincot*, *James Ansel*, *John* and *Edward*



*Edward Pinke*, and *Richard Parvin*, were brought to the Bar of the Court of *King's-Bench*, where Mr. Justice *Eyre*, since Lord Chief Baron of the *Exchequer*, sat as Judge. Their Indictment being read, they pleaded *Not Guilty* to it. Upon which Sir *Philip York* open'd the Indictment as Solicitor-General, and Sir *Robert Raymond* strengthen'd what had been said by that great Lawyer, and in Quality of Attorney-General, set forth the Enormity of the Prisoners Offences in the most lively Colours, insomuch that he made such an Impression upon the Prisoners themselves, that notwithstanding their Hardiness of Disposition, and Savageness of Temper, they were seen (especially the two *Pink's*, who were remarkable for their Ignorance and Brutality) to be so affected with what was said against them, as to take Shame to themselves by a Flood of Tears.

The Witnesses on the Part of the Crown were next sworn, and the Keeper, and several of the Servants belonging to *Farnham* Castle depos'd upon Oath, that three of the Prisoners at the Bar, viz. *Henry Marsbal*, *Edward Elliot*, and *Richard Parvin*, were present when the other Keeper was shot, but that *James Ansel* was not in their Number, he having been taken and bound before, as has been specify'd in the Course of this Narration. As for *Robert Kincot*, and the two Brothers *James* and *Edward Pink*, they were  
not

not try'd for that Murther, but for incurring the Penalty of the Statute made in the last Session of Parliament in the 9th Year of King *George*, provided against Persons going arm'd and disguis'd, to the great Detriment and Affright of divers of his Majesty's Subjects, and several Witnesses of their own Gang appear'd against them, and not only prov'd the Facts whereof they were accus'd, but the Days and Hours on which they were committed ; so that tho' it was expected from the Number of Witnesses that came to Town in Behalf of the Prisoners, that the Tryal would have been a very long one, every Evidence for the King made his Allegations so very plainly, and carry'd such Conviction with them, that the Judge, after reciting them one and all with the greatest Impartiality, and making just Observations between *Realities* and *Pretences*, Matters of Fact, and Endeavours to palliate them with false Appearances ; after a most excellent Charge to the Jury, wherein he recommended the utmost Impartiality in their Verdict, both in respect to the Duty that was owing to their King and Country, and the Justice and Compassion that was due to their Fellow-Subjects and Christians, left them to consider, whether they were *Guilty* or *Not Guilty* of the Crimes laid to their Charge. Hereupon the Verdict was, that the three first were guilty of Wilful Murther, and the four last of  
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incurring the Penalty of the Act that makes it Felony without Benefit of Clergy, to enter and attempt to rob Parks and Fish Ponds, arm'd and disguis'd.

After this, upon the Prayer of the Attorney-General for a Rule of Court for Judgment against the said Convicts; it was order'd, that they and every one of them should be brought down to receive the same on Tuesday the 19th following to receive Sentence, 'till which Time they were remanded to the Prison of *Newgate*, contrary to the Expectation of many, who thought that as they took their Tryal in the Court of *King's-Bench*, so they would stand committed, after being cast for their Lives, to the Goal belonging to the said Court.

But this being a Special Commission of Oyer and *Terminer*, and not after the Nature of arguing after Special Verdicts; as also-agreeable to the like Proceedings on such Commissions, they were sent back to the Goal from which they were brought, there to lie in the condemn'd Hold.

On the 19th of *November* they were again brought up to the same Court in *Westminster-Hall* where being ask'd what they had to say why Sentence of Death should not pass against them, as the Law in such Cases provided; it was urg'd in their Behalf, especially *Kingcor's* and the two *Pinks*, that they had very great Pretensions to Favour, the first denying the Fact as utterly innocent thereof, and the two last extenuating their Guilt, by declaring that what they stood convicted of, was the first of that Nature which they ever enter'd upon. The other four being old Offenders, and incapable of alledging any Thing natural in Excuse for themselves, only pray'd for Transportation, or that if that could not be granted,

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for a Time wherein to make sufficient Preparation for Death. Then *Kingcot* dwell'd on the Severity of the Act of Parliament, and the Hardships, he, who had committed nothing in Violation of it, was to undergo by the Sentence which was to be pass'd on him, and the Execution thereof; and again made Proteftations of his Innocence by the most solemn Appeals to God, who in due Time would bring the real Authors of the Crimes whereof he stood accus'd, to Light.

This being done, the Judge proceeded to represent to each, and every one of them, the Notoriousness of the Crimes they were come to receive the Judgment of the Court for, the Barbarity and Injustice of their Proceedings, which were contrary to all divine and humane Laws, and the Necessity there was for the wise Legislature of the Nation, to put a Stop to them by Act of Parliament then in Force against them: That they had for these heinous Offences put themselves upon their Tyal, had been heard with Candour, and Impartiality, and without the least Colour of Rigour had been heard by their Witnesses, whose Testimonies had all the just Weight upon them that it was possible for them to bear. That the Circumstances they had drawn themselves into by their own Obstinacy, was truly to be lamented; and that it highly became them to spend the Remainder of the short Time they had to live in such Acts of Contrition, as might in some Part atone, not only for the Guilt of the Blood that had been spill'd by some of them; but the Depredations which had been committed by them all: And that after having, by their repeated Insolencies and Provocations, call'd down upon their Heads, the Vengeance of an earthly Tribunal, they might so behave themselves in their Preparations for Death,

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that they might not incur the Wrath and Displeasure of one that was Heavenly, before which they were in a very few Days to appear, for they were not to flatter themselves with Hopes of Life, (however gracious the Government was) from their not being proper Objects of Mercy. He therefore in the last Place was to pronounce such Judgment upon them as the Law awarded, which was, *that they were to go from thence to the Place from whence they came, and from thence to the Place of Execution, where they were to be hang'd by the Neck till they were dead; and so pray'd the Lord to have Mercy upon their Souls.*

Accordingly the condemn'd Criminals having pray'd for Transportation, and as favourable a Report as was possible to be made to the Lords of the Regency in their Favour, were remanded to Prison, the Court having thought fit, not to make a Rule then to fix a Day for their Execution.

It has been said before, that most of the Prisoners were poor illiterate Creatures, since not one of them but *Kingcot* and the two *Pinks* could write or read; wherefore a Countryman, a Friend of theirs, chiefly apply'd himself to them, with whom he left the late Dean *Sherlock's* moving Discourses upon Death and Judgment, that they might read therein to their Fellow Convicts, in the Absence of the Ordinary.

They had, before their Arrival at *Newgate*, flatter'd themselves with not being brought upon their Tryals till the Assizes to be held in *Lent*, after the Time of their Commitment, which was the next Day to the Close of the Commission of Oyer and Terminer for the County of *Southampton*, in the last Summer Season, but as soon as they found

themselves to be try'd forthwith, and shut up in the condemn'd Hold, without any Prospect of Light or Deliverance, but that of the Executioner's Hands from their Miseries. Their Behaviour was very different from what it had been in *Winchester* Goal, where the View of the Punishment due to their Wickedness, being at a Distance they were easily induced to spend their Time in great Gaiety and Profuseness; but now they entirely gave themselves up to Reflections suitable to their Conditions.

One of them, viz. *James Ansel*, a Fellow who never gave himself Time to think 'till now, and who (from the Brutishness and Ignorance of those, whom he had hitherto convers'd with) never consider'd what Enterprize he went upon, before he put it in Execution, told the Writer of these Memoirs of their Indolence, as to their Spiritual Concerns when at *Winchester*: And amongst other Particulars, which Decency forbids the Mention of; said he took Shame to himself for putting into bodily Fear, one Mr. P—— a *Welch* Clergyman, who came out of *Charity* to pay a Visit to the condemn'd Prisoners, and amongst other Capital Offenders, whereof several were defer'd to the following Assizes, apply'd himself with proper Exhortations to the said *Ansel*, and the rest of his Associates, or Fellow *Blacks*; which he, as to himself, was so far from having any due Regard to, that he told him he might e'en *vamp off*, a cant Word made use of in that Academy, and call'd to one of the Members thereof, who was nearest to the *Bell-Rope*, (that was of Use to give the Keepers above Stairs Notice of their being in Want of something below) to touch the *Welchman*, the said *Bell-Rope* being so call'd by the Gentry of those

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**Subterraneous Habitations.** These Expressions struck such a *Terror* into the good *Levite*, who came to act the Part there of the compassionate *Samaritan*, that he knew not whither to turn himself, 'till at last, in the most frightful Condition that Man could be in, he found Means of making his Escape through several Passages that led him to a Stone Pair of Stairs, whose Ascent brought him up to the Court-Yard of the Prison, from whence he made the best of his Way to the Place of his Abode; and tho' undeceiv'd by the Keeper as to the Cause of his Fears, took a fix'd Resolution of not visiting that Prison any more.

But when he was told how little such Stories became his unhappy Circumstances, he and the rest of his Companions gave their Thoughts a quite different Turn, and hearken'd to the Admonitions that were given them, tho' coming from a Layman, who frequently attended them, and was not wanting to improve all Opportunities in such a Manner, as to make them tend ('tis to be hoped) to the Benefit of the poor condemn'd Creatures. Their Ignorance in Spiritual Affairs, made it necessary to urge home Perswasions to make Satisfaction (since they were not in a Capacity of doing it otherwise) by a hearty Confession and sincere Repentance; the first of which they seem'd averse to, saying, that their Blood would be a sufficient Attonement for the Crimes they had committed, without giving Occasion for the spilling of other People's; but the last, by all the Tokens of a true Contrition, they seem'd readily to comply with.

What Hardships in their respective Cases they conceiv'd themselves to labour under were, that they were brought up to another County, from  
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that wherein they had committed the several Facts they had been found guilty of, and were not try'd by a Jury of their own Country, but by one of *Middlesex*: To this they had it in Answer, That they were brought up to the Court of King's Bench by *Habeas Corpus*, and that by the Intent of the Act of Parliament, whereby they were brought to Justice, they were regularly try'd and condemn'd.

This Scruple being remov'd, two of them not guilty of the Murther, for there were but three in Sight when it was done, said, it was impossible they should incur the Guilt of Blood-shedding, by not giving Fire to the spilling of it: They had in Return for that, That there were no *Accessaries* upon such unfortunate Occasions, but all were *Principals*.

The poor Criminals were likewise told, upon their not being able to reconcile the Greatness of such a Punishment as Death, to the Smallness of a Crime, which was only making free with a few *Deer*; their Offence was aggravated with much more criminal Circumstances; such as cutting down Timber upon Men's Estates, laying waste Fences, burning of Out-houses, and entring into riotous Assemblies; most of which, (if not all) were capital Offences. They were moreover given to understand, that the Lenity of the Law by which they were to suffer, was such, as to have left it in their own Power to have sav'd themselves from the Execution of that Sentence, from which they were to expect but a few Days Respite, the Term then growing towards a Conclusion, had they surrender'd themselves by the 1st of *June*, 1723, and discover'd one or more of their Accomplices; the latter Part of which Condition, King-



got, and the Two *Pinkes*, shook their Heads at, as being contrary to the Engagements they had enter'd into upon Oath.

As the Writer of these broken *Memorandums* said this to them, on Monday the 26th of *November*, when he visited them in the *Condemn'd-Hold*, so the Truth of their speedy Execution was verifi'd in a Rule made out next Day, for their Execution on the Wednesday of the following Week. Hereupon they were apply'd to again by the same Person as before, since now the Day of their Departure from this World was fix'd, that they would, before they went from hence to be no more seen, make Use of their Time, as to have a comfortable and joyful Appearance in the Regions of Immortality; which could not be done, without asking Pardon of all whom they had offended, and forgiving them that in any wise trespass'd against them.

Those who have just been mention'd, said, they had already done it, (the others being chiefly under the Directions of the Ordinary) and desir'd their said Countryman, who was entrusted with the Care of them, and who, two or three Days brought a Clergyman to them, to perform proper Offices, to take down their last dying Words, before the Day they were to suffer upon; and so to digest them, by not deviating from the Sense thereof, as to make them fit for the Perusal of the Publick. Their Request was comply'd with; and after he had several Times attended for that Purpose, and after having read what each call'd his *Dying Speech*, to which frequent Amendments being made, two of them set their respective Marks thereunto, and one of them his Hand; he continu'd to assist them 'till the Day of their Execution,

tion, to which they were carry'd from *Newgate* to *Tyburn* in three Carts, where the Criminals that suffer'd, took proper Shame to themselves, for acting contrary to the Laws of God and their Country.

The Reader is desired to correct the following Mistakes. *Marshal* (not *Ansel*) kill'd the Keeper. *Parvin* (not *Kingcot*) kept a Publick-House. None of them were try'd for Murther, because they were try'd in *Middlesex*, where the Murther was not committed.

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